

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 4548) to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent all after the enacting clause be stricken and the text of S. 2386, as passed, be inserted in lieu thereof, the bill, as amended, be read a third time and passed, and the motions to reconsider be laid on the table, the Senate insist upon its amendment and request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on behalf of the Senate consisting of the entire committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 4548), as amended, was read the third time and passed.

The PRESIDING OFFICER (Mr. SESSIONS) appointed Mr. ROBERTS, Mr. HATCH, Mr. DEWINE, Mr. BOND, Mr. LOTT, Ms. SNOWE, Mr. HAGEL, Mr. CHAMBLISS, Mr. WARNER, Mr. ROCKEFELLER, Mr. LEVIN, Mrs. FEINSTEIN, Mr. WYDEN, Mr. DURBIN, Mr. BAYH, Mr. EDWARDS, and Ms. MIKULSKI conferees on the part of the Senate.

AUTHORIZATION TO SIGN BILLS AND RESOLUTIONS

Mr. FRIST. I ask unanimous consent that during the adjournment of the Senate, the majority leader, the junior Senator from Alabama, and the senior Senator from Virginia be authorized to sign duly enrolled bills on joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY FOR COMMITTEES TO REPORT

Mr. FRIST. I ask unanimous consent that notwithstanding the Senate's adjournment, committees be authorized to report legislative and executive matters on November 10, from 10 a.m. to 12 noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZING THE PRESIDENT OF THE SENATE, THE PRESIDENT PRO TEMPORE, AND THE MAJORITY AND MINORITY LEADERS TO MAKE APPOINTMENTS

Mr. FRIST. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees,

boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER THAT ALL NOMINATIONS TO REMAIN STATUS QUO

Mr. FRIST. As in executive session I ask unanimous consent that during the upcoming adjournment of the Senate, all nominations remain status quo.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDING THE AGRICULTURAL ADJUSTMENT ACT

Mr. FRIST. I ask unanimous consent the Senate now proceed to consideration of H.R. 2984, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2984) to amend the Agricultural Adjustment Act to remove the requirement that processors be members of an agency administering a marketing order applicable to pears.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2984) was read the third time and passed.

PENDING NOMINATIONS

Mr. FRIST. Mr. President, we are on our final stretch. Before we leave for our adjournment prior to the election, I do want to take a couple of minutes to talk about the pending nominations.

The pending nominations have become an issue because it has gotten longer and longer and longer, in terms of the list. I am very disappointed. We have had a hugely successful session. The last 6 weeks and the last 3 days have been tremendously productive, but I am very disappointed that we leave here today stranding about, I believe it is 153 pending nominations that are on the Executive Calendar today. All of us have noted the calendar gets thicker and thicker, and it is because there are 153 nominations that are being held up.

For my colleagues, all of them know, but for others listening, these nominations have all been received from the President. The President has made the nominations. All of them have gone through the committee process. All are now available for Senate consideration.

That is our responsibility. But now in the last few moments before we finished our business—I am not going to go through the details why, I am not going to rehash why. But we find our-

selves in a stalled position with 153 nominees right here who are being obstructed. Some on the other side of the aisle have said they have nominations which they want considered and until that happens everybody is going to be held up. Indeed, that is what has happened. It is a scorched-earth-type policy which should not be tolerated. I am troubled by it. I hear such words as, Well, if I can't have my person or the White House is not sending up the person that I asked for, I am going to punish everybody. That is what has happened.

We have 153 people who are on the calendar who are ready and available to go. Many of them have put their lives on hold. They have dedicated themselves to public service. They have gone all the way through the system and they came to this point—to the floor right here—and they are obstructed.

On the calendar, ready and available to go are ambassadorships, critical ambassadorships, for example, to Qatar, Estonia, they are representatives to the United Nations who are being held up, nominations to the Department of Housing and Urban Development positions, various positions at the Environmental Protection Agency, to the Chemical Safety and Hazard Investigation Board, to the Department of Education nominations, the Veterans Affairs Assistant Secretary being held up, and nominations to African Development being held up. There are more than 25 pages of nominations being held up.

These are real people. These are not just names on the calendar. These are real people. They have subjected themselves to the process. They said, Yes, I am willing to serve, but they are being obstructed. Most of these nominations have gone all the way through the system without any opposition and for most there is absolutely no controversy with their particular nomination. But they are being held hostage. They are being held hostage, I believe unreasonably, and it should not be tolerated. It is within a Senator's right to do that, but to me it is just wrong. These are people committed to public service. There is no controversy about them as individuals. They are being held hostage.

I understand this is not the first time we failed to act on nominations or the first time nominations have been held up to unrelated issues.

But I am disappointed that there are Members in this body who have taken to such an extreme position—25 pages of nominations.

This whole concept of putting blanket holds on everybody and holding everybody hostage simply is not appropriate and I believe is a disservice to the country. But that is what is happening. To me it is not responsible. It is not legislating responsibly.